

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA

PAUL WILBURN, et al,	)	
	)	
Plaintiffs,	)	
vs.	)	1:06-cv-1858-SEB-JMS
	)	
AMERICAN FAMILY INSURANCE COMPANY,	)	
LYNDA R. WARE, Agent,	)	
MATRIX FINANCIAL SERVICES	)	
CORPORATION,	)	
DOVENMUEHLE MORTGAGE, INC.,	)	
	)	
Defendants.	)	

**Entry Concerning Selected Matters**


The court, having considered the above action and the matters which are pending, makes the following rulings:

1. The plaintiffs failed to respond to the motion to dismiss for lack of jurisdiction over the person filed by American Family Insurance Company. That motion is therefore **granted** for the reasons set for in the motion of such defendant.
2. The motion to dismiss filed by defendants Matrix Financial Services Corporation and Dovenmuehle Mortgage, Inc. is **granted**.
3. The plaintiffs have failed to respond to the Entry of October 16, 2007.

The results of the foregoing are that the plaintiffs have abandoned this action, they never properly served process on American Family Insurance Company, and the claims against Matrix Financial Services Corporation and Dovenmuehle Mortgage, Inc. are deficient for the reasons set forth in the memorandum accompanying the motion to dismiss filed by those defendants. The action shall now be dismissed, and the dismissal shall be **with prejudice**. Judgment consistent with this Entry shall now issue. The plaintiffs should not assert the claims in their amended complaint in a federal forum in the future so long as the Judgment entered in this action remains in effect.

**IT IS SO ORDERED.**

Date: 10/25/2007

  
SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana